

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

DATE: October 14, 2008 (Tuesday)
TIME: 8:30 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Jonathan Starr (Chair), John Guard IV (Vice-Chair), William Iaconetti, Wayne Hedani, Bruce U'u, Kent Hiranaga, Joan Pawsat, Ward Mardfin, Donna Domingo

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, Conditional Permit, Type 3 Bed and Breakfast Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

A. CALL TO ORDER

B. PUBLIC HEARINGS (Action to be taken after each public hearing item.)

1. MR. GREG KAUFMAN of IWA IKE LLC requesting a State Land Use District Boundary Amendment from Agricultural to Urban for the Iwa Ike Subdivision, a four (4) lot subdivision and related improvements at 6699 Makena Road, TMK: 2-1-005: 118, Makena, Island of Maui. (DBA 2007/0007)(J. Prutch)

- a. Public Hearing
- b. Action

2. PINE STATE LIMITED requesting a State Land Use District Boundary Amendment from Agricultural to Urban for Ke Kani Kai, a proposed 2-lot subdivision and associated infrastructure improvements at Lot 3 Makena, Keoneoio Road, TMK: 2-1-005: 117, Makena, Island of Maui. (DBA 2007/0008) (P. Fasi)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. LANCE COLLINS, attorney for LINDA MCDONALD submitting a Petition to Intervene dated September 30, 2008 on the request by MR. GREG KAUFMAN of IWA IKE LLC for a State Land Use District Boundary Amendment from Agricultural to Urban for the Iwa Ike Subdivision, a four (4) lot subdivision and related improvements at 6699 Makena Road, TMK: 2-1-005: 118, Makena, Island of Maui. (DBA 2007/0007)(J. Prutch)

The Commission may take action on the Petition to Intervene.

2. LANCE COLLINS, attorney for LINDA MCDONALD submitting a Petition to Intervene dated September 30, 2008 on the request by PINE STATE LIMITED for a State Land Use District Boundary Amendment from Agricultural to Urban for Ke Kani Kai, a proposed 2-lot subdivision and associated infrastructure improvements at Lot 3 Makena, Keoneoio Road, TMK: 2-1-005: 117, Makena, Island of Maui. (DBA 2007/0008) (P. Fasi)

The Commission may take action on the Petition to Intervene.

D. ACTION MINUTES OF THE SEPTEMBER 23, 2008 MEETING AND REGULAR MINUTES OF THE JULY 22, 2008 AND AUGUST 26, 2008 MEETINGS

E. UNFINISHED BUSINESS

1. JAY WISTHOFF & KATHY WISTHOFF requesting a State Land Use Commission Special Use Permit and a Conditional Permit in order to operate a transient vacation rental, Hoolio House in the State Agricultural District at 138 Awaiku Street, TMK: 4-7-009: 058, Launiupoko, Lahaina, Island of Maui. (SUP2 20030003) (CP 20030003) (J. Dack) Public Hearing was conducted on August 26, 2008.

The Commission may take action on these requests.

- F. Workshop on LEED Training conducted by Ms. Gail Suzuki-Jones, Strategic Industries Division, State Department of Business, Economic Development, and Tourism (To begin at approximately 1:00 p.m. or soon thereafter.)

G. DIRECTOR'S REPORT

1. Pursuant to Section 12-202-26 of the Special Management Area (SMA) Rules of the Maui Planning Commission, this is a notification of the filing of the following SMA appeal:

THOMAS D. WELCH, JR., ESQ. of MANCINI, Welch & GEIGER representing DOUGLAS POSELY, DONNA ANNE POSELY, PETE UNGRINICH, and JANET J. UNGRINICH appealing the Planning Director's decision dated September 8, 2009,

refusing to process the Special Management Area Assessment Application (SMX 20080118) for the Olowalu Makai - Hikina Subdivision (Subdivision File No.'s 4.753; 4.755, 4.757; 4.834) located off of Honoapiilani Highway, TMK: 4-8-003: 047 (Lot 47-A), Olowalu, Lahaina, Island of Maui. (APPL 2008/0002) (T. Kapuaala)

2. July 31, 2008 letter received from the Department of Housing and Human Concerns regarding satisfaction of the SMA condition for the provision of workforce housing relating to the Kapalua Central Resort SMA
3. Planning Director notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's SMA Rules of his intent to issue a time extension on the following request:

NISEI VETERANS MEMORIAL CENTER requesting a two-year Special Management Area Use Permit time extension on the period to complete construction of the Nisei Veterans Memorial Center at TMK: 3-8-007: 123, Wailuku, Island of Maui. (D. Dias)

The Commission shall acknowledge receipt of the request. The Commission may review the permit time extension request or waive the review of the request.

4. Planning Commission Projects/Issues
5. Discussion of Future Maui Planning Commission Agendas
6. EA/EIS Report
7. SMA Minor Permit Report
8. SMA Exemptions Report
9. Proposed 2009 Meeting Schedule
The Commission may act to approve or modify the meeting schedule.

G. NEXT REGULAR MEETING DATE: October 28, 2008

H. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1- 800-272-0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

PLEASE NOTE: **If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.** (S:\all\carolyn\101408.agenda)